



**IT IS ORDERED as set forth below:**

**Date: June 22, 2018**

---

**James R. Sacca**  
**U.S. Bankruptcy Court Judge**

---

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	§	CHAPTER 7
	§	
ROBERT PAUL SPARRA, JR.,	§	CASE NO. 17-72318-JRS
KELLY ELIZABETH SPARRA,	§	
	§	HON. JAMES R. SACCA
Debtors.	§	
-----	§	-----
	§	

**ORDER ON DEBTORS' REQUEST FOR EXPEDITED HEARING**

**IT APPEARING** that the Debtors filed for chapter 13 relief on December 29, 2017 and the bankruptcy case was converted to a chapter 7 case on February 1, 2018; and

**IT APPEARING** that on January 2, 2018 certain real property known as 3606 Inman Drive, Atlanta, Georgia 30319 ("Property") was foreclosed and sold to Victor Warren Properties, Inc.; and

**IT APPEARING** that on June 8, 2018 the Debtors filed an adversary proceeding (Adversary No. 18-5122) naming Select Portfolio Servicing, Inc. and Victor Warren Properties, Inc. as defendants alleging that the January 2, 2018 foreclosure sale was conducted in violation of the automatic stay; and

**IT APPEARING** that on June 12, 2018 the Debtors filed a Motion to Set Hearing (Docket No. 81) on an expedited basis seeking a temporary restraining order to prevent Victor Warren Properties, Inc. from proceeding with a dispossessory action pending in the Magistrate Court of DeKalb County, Georgia; and

**IT APPEARING** that the Court set the matter for a hearing on June 19, 2018 on the issue of whether the foreclosure sale conducted on January 2, 2018 was in violation of the automatic stay; and

**IT APPEARING** that after hearing arguments from counsels for the Debtors, Select Portfolio, Inc., and Victor Warren Properties, Inc. it is hereby

**ORDERED** that, for reasons stated on the record, the Debtors' motion and request for a temporary restraining order pursuant to Count II of the adversary case (Adversary No. 18-5122) is hereby denied; and it is further

**ORDERED** that Victor Warren Properties, Inc. is not enjoined from proceeding with the dispossessory action pending in the Magistrate Court of DeKalb County regarding the Property, including the scheduling and conducting of an eviction.

**[END OF DOCUMENT]**

Prepared and submitted by:

/s/ David C. Whitridge

**DAVID C. WHITRIDGE**

Georgia Bar No. 754793

THOMPSON, O'BRIEN, KEMP & NASUTI, P.C.

40 Technology Parkway South, Suite 300

Peachtree Corners, Georgia 30092

(770) 925-0111

Email: dwhitridge@tokn.com

Attorneys for Victor Warren Properties, Inc.

**DISTRIBUTION LIST**

Robert Paul Sparra, Jr.  
3606 Inman Drive  
Atlanta, Georgia 30319

Kelly Elizabeth Sparra  
3606 Inman Drive  
Atlanta, Georgia 30319

Bob J. Phillips  
B. Phillips & Associates PC  
327 Dahlonega Street  
Suite 304  
Cumming, Georgia 30040

David C. Whitridge, Esq.  
Thompson, O'Brien, Kemp & Nasuti, P.C.  
40 Technology Parkway South, Suite 300  
Peachtree Corners, Georgia 30092

Bret J. Chaness  
Rubin Lublin, LLC  
3145 Avalon Ridge Place, Suite 100  
Peachtree Corners, GA 30092